

**REMARKS**

Reconsideration of this application is requested. Claims 1, 7, 27 and 28 have been amended. The amendments to claim 1 find representative support in the specification at, for example, paragraphs [0028] through [0030] and [0055]. The amendments to dependent claims 7 and 28 reflect the amendments made to claim 1.

**1. Rejection under 35 U.S.C. 112, first paragraph**

Claims 15-17 are rejected because the Examiner asserts that the recitation of "a salt or salts thereof" in claim 15 implies any salt, whereas the specification allegedly only refers to salts of poly(-2-acrylamido-2-methylpropane sulphonic acid).

Applicants submit that the recitation in claim 15 of "poly(-2-acrylamido-2-methylpropane sulphonic acid) or a salt or salts thereof" is equivalent to a recitation of "poly(-2-acrylamido-2-methylpropane sulphonic acid) or a salt or salts of poly(-2-acrylamido-2-methylpropane sulphonic acid)" by virtue of the word "thereof". Accordingly, salts other than salts of poly(-2-acrylamido-2-methylpropane sulphonic acid) are not recited. Applicants therefore respectfully request that this rejection be withdrawn.

**2. Rejection under 35 U.S.C. 112, second paragraph**

Claim 27 is rejected as indefinite due to the recitation of "first and second components" in view of the recitation in parent claim 1 of "first dressing component" and "second dressing component". The Examiner recommends amending claim 27 to recite "first and second dressing components".

Without acquiescing to the merits of the Examiner's rejection, Applicants have amended claim 27 as suggested by the Examiner. Accordingly, Applicants respectfully request that this rejection be withdrawn.

**3. Rejection under 35 U.S.C. 102(b)**

Claims 1, 2, 4, 6, 7, 12, 22 and 26 are rejected as allegedly anticipated by U.S. Patent 4,327,731 to Powell ("Powell") for the reasons provided on pages 3-4 of the Office Action.

Applicants submit that as amended, claim 1 recites that the oxidoreductase enzyme is immobilized in the first dressing component. As indicated above, this amendment is fully supported by the specification. Powell, in contrast, teaches that the reagents (e.g., the enzymes) are "impregnated" in carrier material such as absorbent paper (see, e.g., col. 4, lines 26 and 28 of Powell). This language

indicates that the enzymes are reversibly hydrated in the carrier and thus are not immobilized. Therefore, Powell cannot anticipate Applicants' claimed invention because Powell does not describe this feature of Applicants' claims.

Yet another distinction between Applicants' claimed invention and Powell is that as amended, Applicants' claim 1 recites that in the unused skin dressing, the second dressing layer carries a source of water. In contrast, Powell does not teach a dressing initially supplied with water. In fact, the functioning of the Powell structure would be undermined entirely if water were present initially, given that as submitted in the previously filed response, and as acknowledged by the Examiner (page 3 of the Office Action), Powell teaches a moisture indicator that may be used in a surgical dressing. Therefore, Powell cannot anticipate Applicants' claimed invention because Powell does not describe this feature of Applicants' claims.

For at least the above reasons, Applicants respectfully request that the rejection of Applicants' claims as anticipated by Powell be withdrawn.

#### **4. Rejection under 35 U.S.C. 103(a)**

Claims 1, 2, 4-27 and 29-31 are rejected as allegedly obvious over Powell in view of WO 01/28600 to Green ("Green"), U.S. Published Application No. 2002/0037270 to Munroe et al. ("Munroe") and U.S. Patent 5,483,697 to Fuchs ("Fuchs") for the reasons provided on pages 5-8 of the Office Action.

Applicants submit that at least for the reasons discussed above in section 3, Powell does not teach or suggest Applicants' claimed invention. Powell does not teach an immobilized enzyme like the one recited in Applicants' claim 1 as amended. Instead, Powell teaches enzymes that are reversibly hydrated (*i.e.*, not immobilized) in a carrier. Enzyme immobilization adds considerably to both processing steps and cost and is therefore not a feature that would be employed without good reason. In this case, there is no benefit obtained by immobilizing enzymes in the Powell carrier; therefore, Applicants submit that a person of ordinary skill in the art would have no rationale or motivation for modifying the Powell arrangement by using immobilized enzymes. Green does disclose enzyme immobilization, but only in the context of a dressing structure that is dry, includes no enzyme substrate and has as its objective the production of anti-infective iodine rather than the oxygen transport of Applicants' claimed invention.

In addition, the Powell arrangement before use does not contain water. Rather, as the title indicates, Powell discloses a moisture indicator, which draws in water from an external source. In contrast, the second dressing component of the

unused skin dressing of Applicants' claim 1 already includes a source of water. Applicants submit that it would be nonsensical to suggest that it would be obvious to a person of ordinary skill in the art to modify Powell by wetting the carrier layer with water before use to achieve Applicants' claimed invention. The Powell dressing would then be completely unsuitable for its intended purpose as a moisture indicator. Neither Green nor Munroe, either alone or in combination, can remedy the deficiencies present in Powell.

For at least the above reasons, Applicants respectfully request withdrawal of this rejection.

## **5. Conclusion**

Upon consideration of the foregoing, it will be recognized that Applicants have fully and appropriately responded to all of the Examiner's rejections. Accordingly, all claims are believed to be in proper form in all respects and a favorable action on the merits is respectfully requested. The Examiner is invited to contact the undersigned with any questions or concerns that may prevent this requested allowance.

Except for issues payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or to credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a constructive petition for extension of time in accordance with 37 C.F.R. 1.136(a)(3).

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